

PLANNING BOARD APRIL 1, 2014

The Manasquan Planning Board held a Regular meeting on Tuesday, April 1, 2014 at 7PM in the Council Chambers of the Borough Hall, 201 East Main Street, Manasquan, New Jersey.

Chairman Hamilton opened stating that there is a 20-minute presentation by Keith Henderson, attorney representing 177 Main Street, LLC and he will be heard first and then the Board will proceed on with the Silidker application.

Roll Call:

Board Members Present: Mayor Dempsey, Chairman Hamilton, Councilman McCarthy, Board members Muly, Rabenda, Burke, Ragan, Apostolou, Ragan arrived at 7:02PM

Board Members Absent: Board member Harriman, Thompson and Young

Professionals Present: Geoffrey S. Cramer, Planning Board Attorney and Albert D. Yodakis, T & M Engineer/Planner

Salute to the Flag

Informal – 177 Main Street, LLC – 177 Main Street – Block: 65.02 – Lot: 21.01 – Zone: BR-1 – C. Keith Henderson opened stating the property is directly east of the Algonquin Theater, which contains a flower shop on the main floor and apartments over the top. He has the Architect present to describe the application. He believes the Board would probably want to focus on parking. The applicant is proposing to re-build the building. It would increase the size of the building and put a third floor on top. The plan is to create two retail spaces on the first floor and create five (5) apartments on the second and third floor. There are three (3) Variances required, building coverage, one for lot coverage, and one for parking. The Architect, Vincent Cusumano passed out perspectives to the Board members to follow as he explained his proposal for the new building. On the second story they have two, two-bedroom units and on the third story unit they have three, one-bedroom units. They are proposing five parking spaces where 18 are required. Ten required for the apartments and eight for the retail. Keith Henderson said the reason they are here tonight is before going forward and investing a lot of money for a full site plan, his applicant wanted to get a feel from the Board as to their willingness to entertain this application. Chairman Hamilton said we are restricted for time so if the Board would like to throw their comments, thoughts out. Each board member gave their thoughts and concerns to the applicant. Mr. Henderson thanked the Board for their time and input.

APPLICATION #44-2013 – Silidker, Mark and Mary – 474 Euclid Avenue – Block: 146 – Lot: 17.02 – Zone: R-2 – Chairman Hamilton said this application has been carried. John Burke had to step down as he was not present for the prior hearing. Member Apostolou said he is in the same boat. Chairman Hamilton said they did give some presentation the first time but not the second time. Attorney Cramer said this application has been substantially modified, so he sees this as an application that has not been heard and did not feel that any Board members need to

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step down. Attorney Cramer swore in Mark Silidiker and Daryl Ross, Contractor, and Board Engineer Yodakis. Mr. Silidiker gave his testimony as to what is proposed. This application is for a front yard raised deck. They have eliminated the side yard setback issue, now the deck is proposed at 19 X 8-feet. The TRC looked at this and suggested that the applicant that the width of the deck coming out toward the roadway be reduced, unless they can prove some sort of hardship. Mr. Silidiker said they resubmitted new plans which they believe made the deck less intrusive and more aesthetically pleasing. Board members had questions and comments for the applicant. Technical proposed they come out five (5) feet as opposed to the eight (8) feet proposed and then come down the side as to not encroach so much on the front yard. The reason they want a front deck is for the view, the side deck faces the neighbor's property which has quite a bit of foliage. The applicant states he needs at least 3-feet to open the screen door, so he argued he couldn't reduce the width by too much as it would impose a safety issue with the door. Board member Ragan made a motion to open the meeting to the public; the motion was seconded by Board member Love, all in favor none opposed.

There was no audience participation.

Board member Apostolou made a motion to close the public portion of the meeting; the motion was seconded by Board member Love, all in favor none opposed.

Chairman Hamilton in closing summarized the proposal, he said the Board is leaning toward a 6-foot structure, 19-feet wide so the front yard setback Variance required. The applicant agreed with that proposal.

Councilman McCarthy made a motion to approve the modified application, seconded by Mayor Dempsey.

Board Members Voting Yes:

Mayor Dempsey, Chairman Hamilton, Board Members Muly, Rabenda, Burke, Love, Ragan, and Apostolou.

"NO" none

APPLICATION APPROVED

RESOLUTION #10-2014 – Spiegle, Harold and Vera Wu – 35 N. Jackson Avenue – Block: 109 – Lot: 8.04 – Zone: R-1 – Board Members voting to memorialize the Resolution: Mayor Dempsey, Chairman Hamilton, Councilman McCarthy, Board Member: Muly, Rabenda, Love, and Ragan.

RESOLUTION MEMORIALIZED

Chairman Hamilton said next is Ordinance No. 2150-14 – Chairman Hamilton said he believes the public misconstrued the intent of the Ordinance. When TRC looked at the Ordinance they found some issues because two items were left out. It was not written in layman's terms. The TRC along with the Zoning Officer included a couple of items that we felt were missing and we wrote the way we thought it should be structured. We will go through this tonight and then the Council will reconsider the re-drafting of the Ordinance and do a fresh reading at their next regular meeting. He said key word foundation would be covered in siding to at least or more of 2 ½-feet of a coordinating siding that is on the house. That is in section (a). In section (b) there is a word change we had "must", he thinks that is where there is some confusion in that you "must" enclose the bottom floor in its entirety. He thinks "may" should be substituted for "must". You

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don't need to enclose the entire underneath area, but you must at least cover your pilings for aesthetic purposes. #2 is the existing siding will be a continuation of item "a", they would extend down over the foundation. Again, the foundation would be the point if there is no foundation then that's a moot point and that area would be covered by some sort of material. Item #3, any exposed ground area under the building must be covered with either concrete or stone. Item #4, any storage area included under the building must be enclosed. Both Mayor Dempsey and Councilman McCarthy said if the Borough Attorney doesn't feel these are not substantial changes that require them to re-introduce, they will try to move forward on this.

Board Member Love made a motion to open the meeting to the public, motion seconded by Councilman McCarthy, all in favor none opposed.

Audience Member:

Bill Prudent – he said he sent a letter, he lives at 73 Second Avenue – he questioned the enclosure of his pilings. Chairman Hamilton said you have done exactly as we want to achieve except you have a half a dozen pilings that are not encased, you have done a very nice job there. This Ordinance does not impact you.

Mike Shelton – Lake Avenue – he questioned if the Planning Board has an oversight of the Zoning Department. Chairman Hamilton told him no. He asked if the Open Public Meetings Act something that governs this body. Chairman Hamilton said yes. Mr. Shelton said in the case of your minutes, which many haven't been posted since last September on your website. Chairman Hamilton said that question needs to be addressed to the Municipal Clerk, Barbara Iliaria that is not our jurisdiction. He then questioned e-mails, Chairman Hamilton said as Chairman I receive e-mails regarding this Board and I will then get in touch with Board members. Councilman McCarthy said the only e-mails that go out to the Planning Board as a whole is one that tells the members their packets are ready to be picked up. He then asked if an Ordinance was ever passed giving the Planning Board authority over Municipal Capitol Projects. Attorney Cramer said he doesn't recall ever seeing a capitol improvement project of the Borough Council referred to the Planning Board for its review and recommendation. Except for one thing, he thinks there was an opportunity given to the Board to look at the design for the revised, refurbished Office building at the Beachfront. Next, Mr. Shelton asked about finances, regarding Mr. Cramer's bill, there was a conversation with the then Chair, Mr. Burke, who talked about his being recused but he also thought there were other members on the Board who should have also been recused from the BOE process. And, then of course the Taxpayers were billed for that conversation. John Burke said he said members and he meant member. He then asked about correspondence. Chairman Hamilton said let's get to the point. If you want to make accusations against this Board then do it in writing. This conversation is over.

Councilman McCarthy made a motion to close the public portion of the meeting; the motion was seconded by Board Member Muly, all in favor none opposed.

Mayor Dempsey made a motion to pay the bills; the motion was seconded by Board member Love, all in favor none opposed. Vouchers approved for payment.

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Board Member Love made a motion to adjourn the meeting; the motion was seconded by Councilman McCarthy, all in favor none opposed.

MEETING ADJOURNED AT 8:09PM

Respectfully Submitted,



Mary C. Salerno
Planning Board Secretary

DATE APPROVED 5-6-14